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March 2, 2015

BY ECF

Hon. A. Kathleen Tomlinson
United States Magistrate Judge
United States Courthouse
100 Federal Plaza
Central Islip, NY 11722-4438

Re: *In re Cablevision Consumer Litig.* (E.D.N.Y., No. 10-cv-04992)

Dear Judge Tomlinson:

I write with the consent of defendant's counsel and further to the Court's Order dated November 10, 2014 [Dkt. 161] to advise the Court that the time for class members to opt-out of the class action has now expired. The Court directed the parties to advise your Honor when that had occurred and to request a time for a status conference.

Although the time to opt-out has now passed, the parties do not believe a status conference is necessary at this time. The next major step in the case will be motions for summary judgment that both sides anticipate filing. The parties have not worked out scheduling of summary judgment motions, however, because we believe the filing of those motions should await resolution of the various motions to strike certain expert testimony [*i.e.*, Dkt. 125, 144, 164]. One expert deposition was also stayed pending resolution of a motion to strike, and therefore a deposition may also still be needed in advance of summary judgment briefing.

Accordingly, the parties respectfully submit that a status conference should await resolution of the expert motions. Should the Court wish to convene a conference, the parties naturally would be happy to do so.

If the Court has any questions, please do not hesitate to contact me.

Respectfully,

Ralph M. Stone

cc: All counsel (by ECF)